



SO ORDERED

SIGNED this 15 day of October, 2024.


Pamela W. McAfee
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
FAYETTEVILLE DIVISION

IN RE:

TOPPOS, LLC

CASE NO: 23-02889-5-PWM

DEBTOR

CHAPTER 7

**CONSENT ORDER ON TRUSTEE’S MOTION TO CHANGE VENUE OF AFFILIATE
BANKRUPTCY FILINGS FROM SOUTHERN DISTRICT OF FLORIDA
PURSUANT TO BANKRUPTCY RULE 1014(b) AND TRUSTEE’S MOTION TO
SUBSTANTIVELY CONSOLIDATE CERTAIN NON-DEBTOR AFFILIATES INTO
BANKRUPTCY ESTATE**

THIS MATTER comes before the Court upon the Trustee’s Motion to Change Venue of Affiliate Bankruptcy Filings from Southern District of Florida pursuant to Bankruptcy Rule 1014(b) (the “Transfer Motion”) [Dkt. 289] and Motion to Substantively Consolidate Certain Non-Debtor Affiliates into Bankruptcy Estate (the “Consolidation Motion”) [Dkt. 229]. With the parties having indicated their consent by signing below, the Court finds as follows:

1. This case commenced with the filing of a voluntary Chapter 11 bankruptcy petition by the Debtor on October 5, 2023 (“Petition Date”) [D.E. #1], commencing the above-captioned

bankruptcy case (the “Bankruptcy Case”).

2. On September 20, 2024, five affiliates of the Debtor, Top Park Services, LLC, Time Out Properties, LLC Grand Valley MHP, LLC, Prairie Knolls, MHP, LLC, and Rolling Acres MHP, LLC, filed petitions for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Florida, case nos. 24-19720-PDR, 24-19722-SMG, 24-19715-PDR, 24-19716-SMG and 24-19718-PDR (the “Florida Cases”).

3. The parties have agreed to resolve and/or continue the Transfer Motion and the Consolidation Motion as follows:

- (a) The Florida Cases shall be transferred to the United States Bankruptcy Court for the Eastern District of North Carolina effective immediately;
- (b) The hearing on the Consolidation Motion shall be continued for a period of not less than thirty (30) days;
- (c) All parties reserve all rights with regards to the Florida Cases;
- (d) The Debtors in the Florida Cases shall provide a weekly budget to actual report per Debtor to all parties to this order, including the Chapter 7 Trustee for TOPPOS, LLC, and the Bankruptcy Administrator;
- (e) Top Park Services, LLC shall additionally provide a weekly budget and budget to actual report to the parties to this order for Cedarbrook MHP, LLC, and Maple Creek MHP, LLC;
- (f) The Florida Debtors shall file their schedules by October 15, 2024;
- (g) The Chapter 7 Trustee for TOPPOS, LLC, and the Bankruptcy Administrator shall have online access to view the financial transactions of the Florida Debtors when they are posted by the bank.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. Case nos. 24-19720-PDR, 24-19722-SMG, 24-19715-PDR, 24-19716-SMG and 24-19718-PDR pending in the United States Bankruptcy Court for the Southern District of Florida shall be transferred effective immediately to the United States Bankruptcy Court for the Eastern District of North Carolina;
2. The hearing on the Trustee's Consolidation Motion shall be continued for a period of not less than thirty (30) days;
3. All parties reserve all rights with regards to the Florida Cases;
4. The Debtors in the Florida Cases shall provide a weekly budget to actual report per Debtor to all parties to this order, including the Chapter 7 Trustee for TOPPOS, LLC, and the Bankruptcy Administrator;
5. Top Park Services, LLC shall additionally provide a weekly budget and budget to actual report to the parties to this order for Cedarbrook MHP, LLC, and Maple Creek MHP, LLC;
6. The Florida Debtors shall file their schedules by October 15, 2024;
7. The Chapter 7 Trustee for TOPPOS, LLC, and the Bankruptcy Administrator shall have online access to view the financial transactions of the Florida Debtors when they are posted by the bank.

WE CONSENT:

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